Federal Child Labor Law Is Held Invalid

Supreme Court Declares It Is Invasion of Local Powers of States

Four Justices Join in Dissenting Opinion

InterstateCommerceActNot

Intended to Regulate Production, Majority Says

WASHINGTON, June 3.—The Federal child labor law of 1916 forbidding interstate shipment of products of child labor was to-day declared unconstitutional and invalid by the Supreme Court.

Injunctions restraining the government from putting the statute into effect and restraining a Charlotte, N.
G., cotton mill from discharging children employed by it were sustained by the court.

Justices Holmes, McKenna, Brandeis and Clark dissented.

In deciding the case Justice Day, who rendered the opinion, said:

"Over interstate transportation or its incidents the regulatory power of Congress is ample, but the production

factories and mine operators to provide all safety appliances that may be necessary.

"The decision is hard," said Senator Kenyon, of Iowa, one of the foremost of the progressive group. "I regret it all the more because it closes the door firmly against so many of our plans. I had hoped to see Congress enact before long a bill which would deny to interstate commerce the product of factories and which would mress in which all necessary safety appliances that may be necessary.

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"The decision is hard," said Senator Kenyon, of Iowa, one of the foremost of the progressive group. "I regret it all the more because it closes the door firmly against so many of our plans. I had hoped to see legislation enacted which would mines in which all necessary safety appliances had not been installed.

"Every one remembers a terrib

Congress is ample, but the production of articles intended for interstate commerce is a matter of local regula-"If it were otherwise all manu-

factures intended for interstate shipment would be brought under Federal control to the practical exclusion of the authority of the states, a resul cer-

tainly not contemplated by the framers of the Constitution when they vested in Congress the authority to regulate commerce among the states."

"The grant of power to Congress over the subject of interstate commerce was to enable it to regulate such commerce, and not to give it authority to control the states in their exercise of the police power over local trades and manufacture," said the majority opinion.

New Child Labor

Law To Be Sought

gated to Congress over commerce, but also exerts a power as to a purely local matter, to which the Federal authority does not extend. If Congress can thus regulate matters intrusted to local authority by prohibition of the movement of commodities in interstate commerce, all freedom of commerce would be at an end, and the power of the states over local matters may be eliminated and thus our system of government be practically destroyed."

In the dissenting opinion Justice Holmes declared enactment of the law came clearly within the powers of came clearly within the powers of

Congress.
"The act does not meddle with any-"The act does not meddle with anything belonging to the states." said Justice Holmes. "They may regulate their internal affairs and their domestic commerce as they like. But when they seek to send their products across the state line they are no longer within their rights. If there were no Constitution and no Congress their power to cross the line would depend upon their neighbors. Under the Constitution such commerce belongs not to the states but to Congress to regulate. It may carry out its views of public policy whatever indirect effect they may have upon the activities of the states.

may have upon the activities of the states.

"The public policy of the United States is shaped with a view to the benefit of the nation as a whole. The national welfare as understood by Congress may require a different attitude within its sphere from that of some self-seeking state. It seems to me entirely constitutional for Congress to enforce its understanding by all the means at its command."

by to-day's Supreme Court decision holding the child labor law unconsti-

News of the decision hit what is generally called the radical element in Congress "all in a heap." They had not expected the law would be knocked out by the Supreme Court. There were a few in each house who had contended all along the law was unconstitutional. They used this argument freely while the bill was in course of passage through the House and Senate. It was the old question of state rights versus the Federal government, and there were really very few members who seri-ously contemplated the possibility of the court taking the action it did to-day

day.

The fact that four of the nine members the hight court dissented, so that bare majority of one stood behind a minion holding the law unconsti-

Movie of a Man and a Mosquito



party is the only one that has consistently fought against the present undemocratic form of amendment and against the power of the court to declare acts of Congress unconstitutional. Mrs. Bertha Mailly, secretary of the Rand School, who said she had fought for the Federal child labor law for twenty-five years before its passage, said the ruling of the Supreme Court was "one of the most regrettable decisions it had ever made."

"It is absolutely unjustifiable," she added. "It is a tremendously retrogressive step. I cannot say anything strong enough to express my opinion of it."

without Delay

"That there should be limitations upon the right to employ children in mines and factories in the interest of their own and the public welfare, all will admit. That such employment is generally deemed to require regulation is shown by the fact that the brief of counsel states that every state in the union has a law upon the subject, limiting the right to thus employ children.

"In interpreting the Constitution, it must never be forgotten that the nation is made up of states to which are intrusted the powers of local government.

"The work of regulating child labor the socialist Bureau of Labor Research, said:

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"This is one of the most reactionary the last night. The decision of the United States Supreme Court, declaring the Federal child labor law unconstitutional was a surprise to most of the friends of the measure in New York, in spite of the decision of a North Carolina court to the same effect last fall. No definite plans have, therefore, been mapped out for the new campaign.

The work of regulating child labor of the Socialist Bureau of Labor Research, said:

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"The work of regulating child labor committee last night. The decision of the United States from toil, but it would not have freed all the children in the United States from toil, but it would have taken children from the most important industries and would have set total abolition of child labor. As a matter of fact, it would not have reample that might have led to the total abolition of child labor. As a matter of fact, it would not have reample that might have led to the total abolition of child labor. As a matter of fact, it would not have reample that m

member of the board of true.

the child labor committee, said:

"The decision is one that, as lawabiding citizens, we must accept as valid. None the less, Americans who believe the welfare of the nation is bound up in the safeguarding of children will regret the necessity under which the majority of the court seems to find itself of declaring the child labor law unconstitutional and invalid.

The decision seems to block every effort at a uniform labor law," he said. "It makes the progress of labor legislation more difficult and uncertain than ever. It is one of the most serious blows dealt the labor movement in late years, and it is particularly regrettable at this time, when all national efforts are thought to be coördinated and unified."

to find itself of declaring the child labor law unconstitutional and invalid, "Some other mode of approach to the question must and will be found. The new temper of the nation will facilitate this quest. It is significant that the court is not unanimous, and that only one of the nominees of President Wilson to the Supreme Court assented to the decision of the majority."

santed to the decision of the majority."

Mrs. Maud Swartz, secretary of the Women's Trade Union League, said:

"This decision will increase the contempt with which the workers regard the Supreme Court. We have never had much respect for it anyway. As this law would affect only the children of the workers, the ruling shows that workers' children are considered as so much machinery. as so much machinery.
"The decision will be taken in very bad part by workers in general. If the Oregon law, which limited the hours for women, was worthy of support by the Supreme Court, how much more worthy was this law, that protected children? It amounts to this, that the children of poor parents are at the mercy of the desire of employers of cheap labor." mercy of the desire of employers of cheap labor."

Professor Evans Clark, instructor of politics at Princeton University for three years and now director of the Eureau of Research and Investigation, maintained by the Socialist aldermen,

Decision Knocks Out

Whole Progressive

Reform Programme

(Special Dispatch to The Tribune)

WASHINGTON, June 3.—Federal prohibition against working children under the ages of fourteen in miles and sixteen in mines is only one of the safeguards planned by the progressive element in Congress which is made impossible, for the time being at least, by to-day's Supreme Court decision

Paresul of Research and Investigation, maintained by the Socialist aldermen, said:

"In these days states' rights, the freedom of the press and other constitutional guarantees held sacred for generations are being subordinated right and left to the national welfare. This is certainly the worst time to sacrifice the health of our children on the altar of constitutional interpretation.

"The effect of this decision on national politics will be enormous. It will give great impetus to the movement for an easier method of amending the constitution and for a limitation of the judicial veto on legislation. It will certainly add to the Socialist for him to rally.

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Mr. Fairbanks Sinking Rapidly

Former Vice-President Passes

Into Compl

To Tribune Readers

a fayor if you will report any difficulty you may have in

obtaining your paper. If you have ordered it delivered

at your home and it is not arriving; if it is, but comes

late, or if you are unable to secure it at the news-stand -we will appreciate your phoning Beekman 3000 and

New York Tribune =

asking for the Circulation Department.

You will be doing both yourself and The Tribune

Hylan Drops \$525,000 Libel Suits Against "The World"

Mayor Says He Is Too Busy With Public Affairs to Push Case; Must Pay Court Costs; Defendant Demands "Extra Allowance"

movement as a very serious blook very interest of the proposal, and imposed interest the progress of blook region in the proposal proposal

Says Public May Judge

"If the Mayor went to trial at this time he would be compelled to vacate the City Hall for the month of June," said Mr. Moss. "He would be obliged to turn the affairs of the city over to other hands. June is ordinarily a most important month in the city's affairs, and it is especially so now because of the war."

Mr. Taylor said:

"We were ready to try the cases as soon as they were reached on the calendar. It was as much a surprise to me as to any one else that the plaintiff did not care to go on. The public can judge from his attitude what he thinks would have been the result of that trial. Mr. Hylan's course was not the result of any sort or kind of agreement with the defence.

"Justice Cropsey is to receive on Wednesday or Thursday the affidavits for and against the defendant's application for an extra allowance."

What "The World" Says About It in the City at the company was there holding a ring Mr. Murphy was there holding a ring Mr. Murphy was there had not a supprise to me as to any one else that the plaintiff of the trial and the calendar. It was as much a surprise to me as to any one else that the plaintiff of the trial at this part of the \$1.500 balance due client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the client, trying to sell him stock in Black Diamond company, which is the sell him stock in Black Diamond company, which is the sell him stock in part of the \$1.280 in the Slack Diamond company, which is the sell him stock in Black Diamond company, which is the

What "The World" Says About It "The World," commenting editorially to-day on Mayor Hylan's withdrawal of the suits, says:

devoted to "the great pressure of pub- elapsed since these suits were insti-Press Publishing Company, publishers ance, if any, was plain, was not ready, of J. P. Morgan.

of "The World," for \$525,900 damages and it was necessary for 'The World'

Early yesterday morning Policeman

The power of the states to regulate their purely internal affairs by such a surfaced to the general government.

The power of the states to regulate their purely internal affairs by such a surfaced to the general government.

To audian this atstute would not be likely sufficient to the control of a mather the power of the control of a mather the power than 18,000 ments and power than 18,000 ments and the power

while he was making his campaign for justice of the Municipal Court.

"Mr. Hylan appearing as attorney for Goslin in 'strike' suits.

"Mr. Hylan appearing as attorney for Goslin in a suit based on a perjured affidavit of service.

"Mr. Hylan's name, which appears on court records as the last person to whom the papers in this suit were entrusted, now shows a line scored through it. These papers are still missing from the files.

"Mr. Hylan seeking to charge a cousin to his wife \$2,280 for collecting a judgment of \$3,780.

"Mr. Hylan, to cover a substantial part of the \$1,500 balance due his client, trying to sell him stock in the Black Diamond company, which soon thereafter was wrecked.

"Mr. Hylan, by paying this cousin an additional \$1,280 in cash, averting public prosecution of a suit which had been started against him."

Have Paid Hylan Costs

Did Murphy have to pay the costs?
There was a report yesterday in Democratic political circles to the effect that Mayor Hylan had sent the bill for costs in his libel suit against "The New York World," which was discontinued, to the leader of Tammany Hall, which prompted the question.

Be determined the transfer of the leader of Tammany Hall which prompts are the question.

The determined the prompts of the leader of Tammany Hall which prompts are discontinued to the American Museum of Safety and the Agustium.

Sational Musical Exposition, Grand Central Palace.

National Musical Exposition, Grand Central Palace.

leader of Tammany Hall, which prompts of the question.

The report got to Tammany Hall last night, where the sachems of the Tammany Society were holding a meeting. Mr. Murphy was there, but declined to deny or affirm the report. A friend of the Tammany boss said, however, that the chief wore a smile when he heard it, and exclaimed:

"I should worry about Mayor Hylan's libel suits. I paid the costs in my own the libel suits and he will have to pay his."

The animission to the American Museum of Natural Haston, was Tork Museum of Safety and the Animistry Museum of Safety and the Animistry Museum of Safety and the Animistry Museum of Safety and the Contained Park Museum of Safety and the Animistry Museum of Safety and the Animistry Museum of Safety and the Safety Safety and the Safety Safety Museum of Safety and the Safety Safety

Morgan Burglar, Free Six Weeks,

By BRIGGS

John Bernaur Caught With

Six weeks ago to a day John Bernaur, twenty-six years old, of 243 West been warned that if they refuse to handle the papers opposition agents will be placed in the town. Despite that threat they are agreed they will not distribute the Hearst papers. "no vindication of judge or jury" that the impression created by so great a Fifty-fourth Street, was released from could equal that of his election last legal flourish would be helpful with Dannemora Prison after serving out November, Mayor Hylan yesterday the public. The cases being called for an indeterminate sentence of from five withdrew his two suits against the trial, Mr. Hylan, although his griev- to ten years for a burglary at the home

PHILADELPHIA, June 3.—Five women were killed and another probably fatally hurt when the automobile in which they were riding was struck by the Scranton Express on the Reading Railway at a grade crossing below Jenkintown, Pa.

The car crashed through the lowered safety gates. All of those killed and injured live in and around Philadelphia.

clined to deny or amirm the report. A friend of the Suits, says:

"Pleading the pressure of public duties, Mayor Hylan yesterday, by counsel, withdrew at his own cost two suits for libel against 'The World,' in which he asked damages to the amount of \$525,000. Appearing also by counsel, withdrew at his own defence to go before a jury on the issues as presented.

"The World was prepared in its own defence to go before a jury on the issues as presented.

"The Address by M. Godart before the Association of New York Hotel was prepared in its own defence to go before a jury on the issues as presented.

"The Address by M. Godart before the Association of New York Washinton, June 3.—Loss of the saxt Michael of Dearth of New York Hotel washingulation were undertaken by him in consequence of questions raised as to his fitness for the position which, by the favor of his fellow citizens, he now

Shoes and Ships And Sealing Wax

If we weren't so agitated concerning the sudden overturning of our vaca-tion's plans we might conjure some witticism out of the German fondness

Prussians must be notable by their absence in the crews of the submarines operating off the coast at present, for apparently they are as mild a group of scoundrels as ever scuttled a ship. After all, there is much in the way you do things. This even holds for the absolute shattering of international law.

Which calls to mind the reply of Captain Cadogan, of the British steamer Van Dyck, to the captain of the Karlsruhe. The Van Dyck was the first vessel captured by Germany at the outbreak of war. After the German commander had placed a prize crew on board the complement of the Van Dyck was transferred to another ship and landed safely in Brazil.

"You have done a damned dirty job in a damned decent way," said Cadogan as he left his vessel.

Apparently Prussians can't stand sea voyages of any length.

Apparently voyages of any length.

Once more we enter in upon those good old days when a night seemed empty in which there were not at least a dozen reports from hysterical communities concerning "heavy firing off the coast."

Ridgewood Dealers Ignore Threat of Hearst's Agents

RIDGEWOOD, N. J., June 3 .- Folowing the action of the Ridgewood Battalion, New Jersey Militia Reserve, in condemning the distribution of disloyal papers at their meeting held last week, the five newsdealers of this place have refused to handle the Hearst newspapers. Although several bundles of both the morning and evening Hearst papers are still delivered here daily they are returned unopened by the dealers, and that, too, when they are out of all other papers.

The five dealers are Charles Dondro.

B. Karlin, Dratkin Brothers, E. W. Cobb and Stanley Cole, representing the Union News Company. The latter was the first of the dealers to take action in the matter. He declined to handle the papers from the day "The American" deleted part of the President's proclamation.

Mr. Cole discovered the mutilation of the President's proclamation.

Mr. Cole discovered the mutilation of the President's message himself. He immediately called on the Hearst office for an explanation. He has steadfastly refused to handle the papers since.

The newsdealers here say they have in condemning the distribution of dis-

Dutchess County Urged By Defence Council Not To Buy Disloyal Papers

To Buy Disloyal Papers

POUGHKEEPSIE, N. Y., June 3.—
The Dutchess County Defence Council to-day adopted a resolution urging every loyal citizen of the county to refrain from purchasing or distributing any newspaper or other publication printed in the German language, and also all newspapers and other publications printed in the English language that defended or excused the sinking of the Lustania or other outrages and crimes committed by Germany or her allies against the United States or any of the nations allied with us. The text of the resolution follows:

"Whereas, The Dutchess County Defence Councir, as a cooperating agency of the United States Federal

At the time of the Morgan burglary the loot had been rich and plentiful. So plentiful, in fact, that after picking up a heavy silver cigarette case the

which a man was the result of the control of the co

out.

Mr. Lamoures declared yesterday that many of Tukedo Park's 1,700 residents have been showering him with congratulations on his move.

"It was giving the public what it wanted when we discontinued the sale of the Hearst papers," said Mr. Lamouree. "Persons who formerly read them now gladly turn to other publications."

Hays Gives "Big 3" Republican Policies

Stands for Victory, Permanent Peace and Preparation for

After War Problems BOSTON, June 3. - Three paramount

policies of the Republican party were outlined by Will Hays, of Indiana, chairman of the Republican national

chairman of the Republican national committee, at a dinner for the Republican members of the Massachusetts Legislature given by the Republican state committee here to-night.

"The Republican party." he said, "stands, first, for doing everything in our power to win the war now; second, for peace with victory and never a peace by compromise bargaining off principles which would violate American rights, interests and honor and make of our sacrifice a sacrifice to be third, for preparing in a sane manner to solve the immeasurable problems of reconstruction that come after the war,"

One More Jersey Town Plans to Bat Hearst's Papers

Belmar Militia Battalion Is Expected to Back Steps Taken by Officers

Council Appealed To

Many Citizens Have Volume tarily Ceased Reading the Publications

place with other New Jersey commy

mar took definite form at a rece

eighbor cities was to draw up the following lowing resolution and submit it to the

Council, introduced the resolution The Council passed it unanimously. Harry R. Cooper, city solicitor, sattoday he would make his report the council as soon as possible. It may recommend an ordinance barrin Hearst papers from the city limits. "Belmar citizens are not waiting to an ordinance to keep Hearst new papers out," said Major William I Bamford, battalion commander, to-da, "A great number of citizens are kearing Hearst papers out by ceasing the buy Hearst papers."

Hearst's Agents Fail to Lift Ban

Decreed by Nutley

NUTLEY, N. J., June 3.—W. Hearst tried to force his newspaper upon Nutley to-day.

Through the local Militia Reserved to the second triangle of the local Militia Reservery plainly that it did not wish read Hearst newspapers. Despite the three Hearst representatives arrived Nutley this morning to sell his nempapers, but they failed utterly. More Hearst papers were read in the town after the three Hearst men care

American—all or them at two cens a copy.

"It was clearly an attempt to who the local newsdealers into line." as Major John Applegate, commander the Nutley battalion, to-day. "But Nutley will not permit its loyal new dealers to be whipped into line. Hearst. The local newsdealers out handling Hearst papers because Nutley citizens did not desire those newspapers in town while this country lighting Germany.

"The newsdealers showed themselves good Americans, and now the citizen of Nutley, like good Americans, will continue buying their papers for local newsdealers at three cents acopy will continue buying their papers for local newsdealers at three cents acopy local dealers by underselling them agents to injure the business of local dealers by underselling them cent a copy. Nutley is in New Jensof the U. S. A., and Nutley isn't kind of town.

"The Hearst agents." continued in the continued in the

of the U. S. A., and Nutley isn't kind of town.

"The Hearst agents," continued for Applegate, "did sell a few cothis morning to Nutley citizens were not acquainted with the sition. But of the few New York pathey did sell none were Hearst as papers."

they did sell none were Hearst as papers."

Thomas H. Ritchie, a Nutley medealer, predicted to-day that the sest Hearst method would have no est Hearst method would have no est hearst papers, no matter what to Hearst papers, no matter what to Hearst representatives use," he "When the question of Hearst papers came before the batta every man of the 400 members vote keep Hearst papers out of town. newsdealers stand with the mill men."

Express Companies Report Large Loss Seek 10 Per Cent Rise Their Rate

Schedules WASHINGTON, June 3 .- An tate Commerce Commission repo day shows that the eight interst press companies recorded a net in 1917 of \$184,000, as compare earnings of \$8,926,000 in 1916. Adams company lost heavily, its being \$3,137,000, while other com made smaller profits than the year

fore.

By companies, net earnings follows: American, \$679,000; Fargo, \$651,000; Southern, \$9 Great Northern, \$222,000; No \$279,000; Western, \$98,000; Ca \$62,000.

These figures will be considered.